

Art Unit: 1653

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the invention of Group I refer to a peptide and a method of using eth peptide and Group II refers to a method of using DNA. Therefore, the inventions are distinct.

During the on-phone interview on September 1, 2006, with Mr. Kelly, Applicant elected Group I without traverse. Therefore, claim 12 is withdrawn and then cancelled. Further, the agent gave the permission to amend the claims as follows:

Amendment to specification: On page 1 of the specification, line 11, after the word "2000" insert — now U.S. Patent 6,780,846, —

Amendment to the Claims:

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7/31/07
1. Claim 2, line 1, delete ~~—an—~~ and insert ~~—the—~~
 2. Claim 2, line 2, after the "SEQ ID NO:24" insert ~~—and a carrier,~~
 3. Claim 4, line 1, after "active agent" insert ~~—selected from the group~~
consisting of therapeutic agent, prophylactic agent, and diagnostic agent, —
 4. Claim 6, line 1, after "active particle" insert — **selected from the group**
consisting of nanoparticle, liposome, and microparticle, —
 5. Claim 7, line 1, after "active agent" insert — **selected from the group**
consisting of therapeutic agent, prophylactic agent, and diagnostic agent, —
 6. Claim 8, line 1, after "active particle" insert -- **selected from the group**
consisting of nanoparticle, liposome, and microparticle, --
 7. Claim 8, line 2, delete ~~—4—~~ and insert ~~—6--~~
 8. Claim 11, line 3, delete ~~—4—~~ and insert ~~—15—~~